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SEP 12 2007

**OFFICE OF PETITIONS**

In re Application of  
John Eckl  
Application No. 09/903,500  
Filed: July 12, 2001  
Attorney Docket No.: F-278

ON PETITION

This is a decision on the petition filed July 20, 2007, under 37 CFR 1.181, to withdraw the holding of abandonment for the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned on May 30, 2007 and a Notice of Abandonment was mailed July 12, 2007, for the appellant's failure to timely take action after the Board of Patent Appeals and Interferences decision rendered March 29, 2007.

Petitioner asserts that a response was filed and, in support, petitioner has submitted, *inter alia*, a copy of the response in the form of a "Request For Reconsideration....." pursuant to 37 CFR § 41.52(a)(1)" filed May 29, 2007.

A search of the application file and the USPTO records reveals that in fact the "Request For Reconsideration....." pursuant to 37 CFR § 41.52(a)(1)" was filed May 29, 2007 and is of record. Accordingly, the Notice of Abandonment mailed July 12, 2007 was mailed in error and is hereby withdrawn. No petition fee is due and none has been charged.

This matter will be referred to Technology Center 3622 for appropriate action on the "Request For Reconsideration....." pursuant to 37 CFR § 41.52(a)(1)" filed May 29, 2007.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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Office of Petitions